

19890807

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
MONDAY, AUGUST 7, 1989  
AT 2:00 P.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 2:03 p.m. The meeting was recessed by Mayor O'Connor at 5:09 p.m. The meeting was reconvened by Mayor O'Connor at 5:19 p.m. with Deputy Mayor McCarty and Council Member Struiksma not present. Deputy Mayor McCarty adjourned the meeting at 7:09 p.m. to meet in Closed Session on Tuesday, August 8, 1989, at 8:45 a.m. in the twelfth floor Council conference room to discuss pending and potential litigation matters.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member McColl-present
- (4) Council Member Pratt-excused by R-274313  
(vacation)
- (5) Council Member Struiksma-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present
- Clerk-Abdelnour (mp)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-not present

- (3) Council Member McColl-present
- (4) Council Member Pratt-not present
- (5) Council Member Struiksma-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present

ITEM-10: INVOCATION

Invocation was given by Pastor Thomas Simpson of the  
Hispanic Presbyterian Church.

FILE LOCATION: MINUTES

Aug-7-1989

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member  
McColl.

FILE LOCATION: MINUTES

Aug-7-1989

ITEM-30: APPROVED MINUTES

Approval of Council Minutes for the Meetings of:

7/10/89

7/11/89

7/17/89

7/18/89

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A027-034.)

MOTION BY McCOLL TO APPROVE THE MINUTES. Second by Wolfsheimer.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,

McColl-yea, Pratt-not present, Struiksma-not present,

Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-31: DENIED REQUEST FOR A HEARING

Matter of the request of Eric B. Shwisbert, Esq. on behalf of Charles and Joanne Mitcham, for a hearing of an appeal from the decision of the Planning Commission in denying the appeal and granting the Hillside Review Permit, and Resource Protection Overlay Zone Permit HRP/RPOZ-89-0238, with conditions, to construct a 3,500 square-foot single-family residence. The subject property totals approximately 7,000 square feet and is located on the east side of Glenwood Street between Guy Street and Union Street in Zone R-1-5000 of the Uptown Community Plan area. The subject property is further described as Lots 11 and 12 of Map-381 and that portion of the north 20 feet of Walnut Avenue, adjoining Lot 12 on the south, as closed by Resolution No. 64243, April 7, 1936. (HRP & RPOZ-89-0238. District-2.)  
A motion granting or denying the request for a hearing of the appeal.

FILE LOCATION: PERM - HRP & RPOZ-89-0238

COUNCIL ACTION: (Tape location: A084-119.)

MOTION BY ROBERTS TO DENY THE REQUEST FOR A HEARING. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksmay-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-32: DENIED REQUEST FOR A HEARING

Matter of the request of William Knight, for a hearing of an appeal from the decision of the Planning Commission in approving Conditional Use Permit, Planned

Commercial Development Permit and Tentative Map TM-88-1036 (Tierrasanta Gateway Plaza). The proposed development consists of a seven-lot subdivision, two office buildings totaling 52,000 square feet, commercial/retail and related uses totaling 53,000 square feet, a new church building to replace an existing church and frontage and access variances.

The subject property is located at the southwest corner of SR-52 and Santo Road and is further described as a portion of Lot 9 of Parcel Map PM-8547 and Lot 150 of Villa Barbados North Unit 1, Map-7236, in Zones R1-40000, CN and HR (proposed Zone CC), in the Tierrasanta Community Plan area.

(CUP, PCD & TM-88-1036. District-7.)

A motion granting or denying the request for a hearing of the appeal.

FILE LOCATION: PERM - CUP-88-1036, PCD-88-1036,  
SUBD - Tierrasanta Gateway Plaza

COUNCIL ACTION: (Tape location: A120-163.)

MOTION BY McCARTY TO DENY THE REQUEST FOR A HEARING. Second by Struiksmma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksmma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-33: GRANTED REQUEST FOR A HEARING ON SEPTEMBER  
26, 1989 AT 2:00 P.M.

Matter of the request of E. Catton, et al, for a hearing of an appeal from the decision of the Planning Director in granting Early Release Single-Family Neighborhood Protection Ordinance Case-89-3045, which requests an early release from this restriction to determine if the property at 4063-75 Louisiana Street is located within a single-family neighborhood. The subject property is further described as the south half of Lot 5 and all of Lot 6 of Block 172 of University Heights, in Zone MR-1250B (Multi-Family), in the Mid-City Community Plan area. (ER-89-3045. District-3.)

A motion granting or denying the request for a hearing of the appeal.

FILE LOCATION: ZONE ERSFNPO - ER-89-3045

COUNCIL ACTION: (Tape location: A164-174;A303-320.)

MOTION BY MCCOLL TO GRANT THE REQUEST FOR A HEARING BASED ON THE FACT THAT THIS IS A CITY-WIDE PLANNING ISSUE. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksmma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-34: DENIED REQUEST FOR A HEARING

Matter of the request of Mark Shipley, for a hearing of an appeal from the decision of the Planning Director in denying Early Release Single-Family Neighborhood Protection

Ordinance Case-89-3068, which requests an early release from this restriction to determine if the property at 1837 Oliver Avenue is located within a single-family neighborhood. The subject property is further described as Lot 6, Block 1 of Pacific Pines, Map-11367, in Zone R-1500 (Multi-Family), in the Pacific Beach Community Plan area. (ER-89-3068. District-6.)

A motion granting or denying the request for a hearing of the appeal.

FILE LOCATION: ZONE ERSFNPO - ER-89-3068

COUNCIL ACTION: (Tape location: A175-206.)

MOTION BY HENDERSON TO DENY THE REQUEST FOR A HEARING. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksmay-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-100: (R-90-59) ADOPTED AS RESOLUTION R-274159

Awarding contracts for misc. operated construction type equipment rentals, as may be required for a period of one year beginning August 1, 1989 through July

31, 1990, at an estimated cost of \$165,400, as follows:  
(BID-0820/89)

Primary Contracts:

1. Bob's Gradall for Item 1, with options to renew the contract for four additional one year periods, with option year price increases not to exceed the prices of the previous contract period by more than eight percent.
2. Thomas Trucking for Item 3, with options to renew the contract for four additional one year periods, with no price increases other than those mandated by the PUC.

Secondary "Back-up" Contracts:

1. Whillock Corporation for Item 1, with options to renew the contract for four additional one year periods with option year price increases not to exceed the prices of the previous contract period by more than 10 percent.
2. Burns and Sons Trucking, Inc. for Items 2 and 3, with options to renew the contract for four additional one year periods, with no price increases

other than those mandated by the PUC.

FILE LOCATION: MEET CONTFY90-4

COUNCIL ACTION: (Tape location: A322-367.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-101: (R-90-161) ADOPTED AS RESOLUTION R-274160

Awarding a contract to George Chevrolet for the purchase of three 22,000 lb. GVW Cab and Chassis with PTO (Chevrolet C7D042), for a total cost of \$64,902.99, including tax. (BID-0778/89)  
Aud. Cert. 9000128.

FILE LOCATION: MEET CONTFY90-1

COUNCIL ACTION: (Tape location: A322-367.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-102:

Two actions relative to the Construction of Sewer and Water Main Replacement Group 69:  
(Uptown Community Area. District-8.)

Subitem-A: (R-90-162) ADOPTED AS RESOLUTION R-274161

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Inviting bids for the Construction of Sewer and Water Main Replacement Group 69 on Work Order Nos. 180141/147205; authorizing the execution of a contract with the lowest responsible bidder; authorizing the City Auditor and Comptroller to transfer \$1,273,718 within the Sewer Revenue Fund 41506, from the Unallocated Reserve 70697 to the Wastewater Systems Construction Program 70492, CIP-44-001, Annual Allocation - Sewer Main Replacements; authorizing the expenditure of an amount not to exceed \$1,425,627 (\$1,353,718 from Sewer Revenue Fund 41506, CIP-44-001,

Annual Allocation - Sewer Main Replacements and \$71,909 from Water Revenue Fund 41502, CIP-73-083, Annual Allocation Water Main Replacements, for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K0878/90)

Subitem-B: (R-90-163) ADOPTED AS RESOLUTION R-274162

Authorizing the use of City Forces to make connections and perform operational checks as required in connection with the Construction of Sewer and Water Main Replacement Group 69; declaring that the cost of said work shall not exceed \$22,116.

CITY MANAGER SUPPORTING INFORMATION: Sewer and Water Main Replacement Group 69 is a part of a continuing program to upgrade the sewage system in the Hillcrest area. Included in this contract is the removal and replacement of 35,020 square feet of severely deteriorated concrete alleys. The locations of these alleys are parallel to Third and Fourth Avenues from University Avenue through to Brookes Avenue, and parallel to Fourth and Fifth Avenues from University Avenue to Robinson Avenue and from Pennsylvania Avenue to Brookes Avenue. This project consists of construction of 10,650 feet of 10 and 8-inch mains to replace existing deteriorated and undersized concrete sewer mains and construction of 480 feet of 8-inch water main to replace the existing cast iron water main located in Walnut Avenue.

Aud. Cert. 9000014 Revised.

WU-P-89-120.

FILE LOCATION: W.O. 180141/147205 CONT - Petar Artukovich Construction Co., Inc. CONTFY90-1

COUNCIL ACTION: (Tape location: A322-367.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-103: (R-90-140) ADOPTED AS RESOLUTION R-274163

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Inviting bids for the Construction of Sewer and Water Main Replacement Group 92 on Work Order No. 171101/180711;

authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of an amount not to exceed \$1,557,824, consisting of \$1,369,372 from Sewer Revenue Fund No. 41506, Sewer Construction Outlay (No. 70492), CIP-44-001, and \$188,452 from Water Revenue Fund No. 41502, Water Construction Outlay (No. 70592), CIP-73-083, for the purpose of providing funds for the above project and related costs; authorizing the execution of a participation agreement with Vernon E. Taylor and Erma Taylor O'Brien, Trustees, for the relocating and upgrading of existing sewer and water mains on the Taylor properties; authorizing the use of City Forces to isolate and make connections to the existing water system at a total cost not to exceed

\$36,892; authorizing the City Auditor and Comptroller to transfer excess funds, if any, to the appropriate reserves upon advice of the administering department.

(BID-K0879/90)

(Pacific Beach Community Area. District-6.)

**CITY MANAGER SUPPORTING INFORMATION:** Sewer and Water Main Replacement Group 92 will replace approximately 2.0 miles of deteriorated concrete sewer main and 0.3 mile of deteriorated cast iron water main in the Pacific Beach area. This project will also relocate sewer and water mains from Alley Block 193, Map 791/854. The relocations necessitate the installation of approximately 431 feet of additional sewer main and 205 feet of additional water main. The owner of Alley Block 193, Map 791/854 has requested that this work be included in this project and, through a participation agreement, will pay for all costs associated with the added work. The Regional Water Quality Control Board compliance schedule mandates completion of construction by January 1, 1991. This project is also part of the approved accelerated replacement programs for the Pacific Beach area. This \$92.5 million accelerated program will replace 39.6 miles of concrete mains. With the addition of this project, 29.4 miles, or 74 percent of the existing concrete mains have been or are now being replaced.

Aud. Cert. 9000113.

WU-P-89-193.

**FILE LOCATION:** W.O. 171101/180711 CONT - CAL-Southwest Construction, Inc. CONFY90-2

**COUNCIL ACTION:** (Tape location: A322-367.)

**CONSENT MOTION BY McCOLL TO ADOPT.** Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea,



McColl-yea, Pratt-not present, Struiksmayea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-104: (R-90-165) ADOPTED AS RESOLUTION R-274164

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Inviting bids for the Construction of Traffic Signal and  
Street Lighting Systems at Sixth Avenue and Beech Street  
on Work Order No. 119231; authorizing the execution of a  
contract with the lowest responsible bidder; authorizing  
the expenditure of an amount not to exceed

\$60,100 from Proposition A Fund 30300, CIP-68-010,  
Construct Top 10-15 Prioritized Traffic Signals Each Year,  
for providing funds for said project and related costs;  
authorizing the City Auditor and Comptroller, upon advice  
from the administering department, to retain excess  
budgeted funds, if any, in CIP-68-010, Construct Top 10-15  
Prioritized Traffic Signals Each Year. (BID-K0880/90)  
(Centre City Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: The subject FY-89  
Capital Improvement Program project intersection is currently  
controlled by two-way stop signs for east and west bound traffic  
on Beech Street. Installation of a traffic signal will provide  
the orderly assignment of right-of-way to vehicular and  
pedestrian traffic.

Aud. Cert. 9000072.

FILE LOCATION: W.O. 119231 CONT - Perry Electric CONTFY90-1

COUNCIL ACTION: (Tape location: A322-367.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Struiksmayea. Passed  
by the following vote: Wolfsheimer-yea, Roberts-yea,  
McColl-yea, Pratt-not present, Struiksmayea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-105: (R-90-164 Corr.Copy) ADOPTED AS RESOLUTION R-274165

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Inviting bids for the Construction of Traffic Signal and  
Street Lighting Systems at Camino Santa Fe and Carroll Road  
on Work Order No. 119240; authorizing the execution of a  
contract with the lowest responsible bidder; authorizing  
the expenditure of funds not to exceed \$91,500 from Fund

30244, CIP-62-275, Traffic Signals - FBA Funded, for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to retain excess budgeted funds, if any, in CIP-62-275, Traffic Signals - FBA Funded. (BID-K0881/90)  
(Mira Mesa Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: The subject FY-89 Capital Improvement Program project intersection is currently controlled by all-way stop signs. Installation of a

traffic signal will provide the orderly assignment of right-of-way to vehicular and pedestrian traffic.  
Aud. Cert. 8901113.

FILE LOCATION: W.O. 119240 CONT - Perry Electric CONTFY90-1

COUNCIL ACTION: (Tape location: A322-367.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-106: (R-90-60) ADOPTED AS RESOLUTION R-274166

Rejecting all bids received on May 10, 1989 and readvertising for bids for the Construction of the Alley Blk. 53, Fairmount Addition Storm Drain on Work Order No. 119307; authorizing the execution of a contract with the lowest responsible bidder; authorizing the City Auditor and Comptroller to transfer \$14,241.96 from Capital Outlay Fund 30245, CIP-11-227, Switzer Drain Lining, to Capital Outlay Fund 30245, CIP-17-003, Annual Allocation - Seepage Problems; authorizing the expenditure of funds not to exceed \$54,200 from Capital Outlay Fund 30245, CIP-17-003, Annual Allocation - Seepage Problems, for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.  
(BID-0618/89A)

(Mid-City Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: The existing storm drain system in the alley between 45th Street and Chamoune Avenue, north of Polk Avenue, is inadequate to discharge the existing flow. This project will construct an 18-inch drain and associated structures, and will eliminate the potential for private property damage and the formation of hazardous traffic conditions. The City Manager authorized advertising and bids

were opened on May 10, 1989. Twenty-eight bid packages were issued and three bids were received. The low bid was in the amount of \$28,933 and the next bid was in the amount of \$40,544.68. The low bidder has withdrawn his bid due to clerical error in pricing, and the second low bid is 63.5

percent over the City's estimate of \$24,800. It is the opinion of City staff that readvertising this project will stimulate greater bidder interest and result in a lower bid than the next low bid of \$40,544.68.  
Aud. Cert. 90000101.

FILE LOCATION: W.O. 119307 CONFY90-1

COUNCIL ACTION: (Tape location: A322-367.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-107:

Three actions relative to the final subdivision map of Canyon Crest Homes, an 11-lot subdivision located southwesterly of Division Street and 58th Street:  
(Southeast San Diego Community Area. District-4.)

Subitem-A: (R-90-207) ADOPTED AS RESOLUTION R-274167

Authorizing the execution of a Subdivision Improvement Agreement with Brown Thumb Partners for the installation and completion of public improvements.

Subitem-B: (R-90-206) ADOPTED AS RESOLUTION R-274168

Approving the final map.

Subitem-C: (R-90-208) ADOPTED AS RESOLUTION R-274169

Authorizing the execution of a quitclaim deed, quitclaiming to Sweetwater Authority a sewer and storm drain easement in a portion of the northwest quarter of the northwest quarter of Quarter Section Lot 104 of Rancho de la Nacion, Map-166.

FILE LOCATION: Subitem-A,B: SUBD - Canyon Crest Homes  
Subitem-C: DEED F-5003

CONTFY90-1 DEEDFY90-1

COUNCIL ACTION: (Tape location: A322-367.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-108:

Two actions relative to the final subdivision map of Carmel Del Mar Neighborhood 5 Unit No. 11, a 130-lot subdivision located northwesterly of Carmel Valley Road and Carmel Country Road:

(North City West Community Area. District-1.)

Subitem-A: (R-90-125) ADOPTED AS RESOLUTION R-274170

Authorizing the execution of a Subdivision Improvement Agreement with Baldwin Building Contractors for the installation and completion of public improvements.

Subitem-B: (R-90-124) ADOPTED AS RESOLUTION R-274171

Approving the final map.

FILE LOCATION: SUBD - Carmel Del Mar Neighborhood 5 Unit  
No. 11 CONTFY90-1

COUNCIL ACTION: (Tape location: A322-367.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-109:

Three actions relative to the final subdivision map of Chancellor Park Unit 1, a three-lot subdivision located southeasterly of Eastgate Mall and Genesee Avenue:

(University Community Area. District-1.)

Subitem-A: (R-90-127) ADOPTED AS RESOLUTION R-274172

Authorizing the execution of a Subdivision Improvement

Agreement with JB-OS Partnership for the installation and completion of public improvements.

Subitem-B: (R-90-126) ADOPTED AS RESOLUTION R-274173

Approving the final map.

Subitem-C: (R-90-128) ADOPTED AS RESOLUTION R-274174

Authorizing the execution of an agreement with JB-OS Partnership for payment of Facilities Benefits Assessment fees.

CITY MANAGER SUPPORTING INFORMATION: In addition to the usual resolutions associated with the approval of a final map, there is a resolution authorizing the City Manager to enter into an agreement that provides for the payment of previously unpaid F.B.A. fees connected with previously issued building permits. This agreement is necessary to satisfy Condition No. 13 of Tentative Map Resolution R-267418. The agreement provides for the payment of the unpaid fees when building permits are issued in Chancellor Park Unit No. 2 but no later than seven years from the execution of the agreement. When the City Council approved the Tentative Map on January 20, 1987, upon appeal from the decision of the Planning Commission, there was some discussion about the construction of a traffic signal at Eastgate Mall and Easter Way. The Council decided to require the subdivider to design and construct the signals in connection with the approval of the unit adjacent to Eastgate Mall in lieu of a cash contribution toward future construction. Since this unit is not adjacent to Eastgate Mall, the traffic signal will not be constructed at this time.

FILE LOCATION: SUBD - Chancellor Park Unit 1  
CONFY90-2

COUNCIL ACTION: (Tape location: A322-367.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Struiksmas. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksmas-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-110:

Four actions relative to the final subdivision map of Highland Hills, a 44-lot subdivision located northwesterly

of Britain Street and Jamacha Road:  
(Skyline-Paradise Hills Community Area. District-4.)  
Subitem-A: (R-90-145) ADOPTED AS RESOLUTION R-274175

Authorizing the execution of a Subdivision Improvement  
Agreement with Lake Jennings Vista/Dick-Con/Tim Jon for the  
installation and completion of public improvements.  
Subitem-B: (R-90-144) ADOPTED AS RESOLUTION R-274176

Approving the final map.  
Subitem-C: (R-90-146) ADOPTED AS RESOLUTION R-274177

Authorizing the execution of a participation agreement with  
Peter Hatlem for construction of drainage facilities;  
rescinding the expenditure of an amount not to exceed  
\$2,815 from Capital Outlay Fund 30245, CIP-58-0010.  
Subitem-D: (R-90-147) ADOPTED AS RESOLUTION R-274178

Participation agreement with Lake Jennings  
Vista/Dick-Con/Tim-Jon for the construction of public  
improvements; authorizing the expenditure of an amount not  
to exceed \$22,560 from Capital Outlay Fund, Annual  
Allocation New Development, CIP-58-001, for the purpose of  
providing funds for the above project.  
CITY MANAGER SUPPORTING INFORMATION: On February 19, 1985,  
Public Improvement Permit No. W-29280 was issued to Mr.

Peter Hatlem for the improvement of Britain Street from  
Viewcrest Drive to 170' south of Viewcrest Drive. This work was  
a requirement of a four-lot parcel map located at the southwest  
corner of Britain Street and Viewcrest Drive. Also, on March  
11, 1985, the City entered into a participation agreement with  
Mr. Hatlem for the construction of certain drainage facilities  
in Britain Street in the amount of \$2,815. These improvements  
have not been constructed; therefore, the \$2,815 was never paid  
to Mr. Hatlem and default proceedings have been initiated  
against the aforementioned permit. The Developer of Highland  
Hills Subdivision, located west of Britain Street, just south of  
Mr. Hatlem's parcel map, is required to improve Britain Street  
adjacent to his property. The full-length construction of  
Britain Street from Viewcrest Drive to Jamacha Road is

recommended to facilitate traffic circulation in the area. The developer has agreed to complete the work required by the Hatlem parcel map if the City participates in the cost of the improvement for a total not to exceed \$22,560. It is anticipated that the City will recover all of the cost from default proceedings against the permit issued to Mr. Hatlem. Aud. Cert. 9000099.

FILE LOCATION: SUBD - Highland Hills CONTFY90-3

COUNCIL ACTION: (Tape location: A322-367.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-111: (R-90-201) ADOPTED AS RESOLUTION R-274179

Approving the acceptance by the City Manager of a grant deed of Pardee Construction Company, granting to the City Parcel 3 of Parcel Map PM-15728.  
(North City West Community Area. District-1.)

FILE LOCATION: DEED F-5004 DEEDFY90-1

COUNCIL ACTION: (Tape location: A322-367.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-112:

Two actions relative to the exclusive sale of a portion of Lot 243 of University City Manor Unit 3, Map-5016:  
(See City Manager Report CMR-89-370. University City Community Area. District-1.)

Subitem-A: (R-90-122) ADOPTED AS RESOLUTION R-274180

Authorizing the sale by negotiation of a portion of Lot 243 of University City Manor Unit 3, Map-5016 for the amount of \$8,100 to the Church of Jesus Christ of Latter Day Saints, the adjacent owner; authorizing the execution of a grant deed, granting to the Church of Jesus Christ of Latter Day

Saints all that portion of Lot 243 of University City Manor Unit 3, Map-5016; declaring that no broker's commission shall be paid by the City on the negotiated sale.

Subitem-B: (R-90-123) ADOPTED AS RESOLUTION R-274181

Vacating the City's interest in an unneeded slope and public right-of-way easement affecting Lot 243 of University City Manor Unit 3, Map-5016, pursuant to Section 8300 et seq. of the Streets and Highways Code; authorizing the acceptance of compensation for the easement in the amount of \$62,100, based upon an independent fee appraisal.

COMMITTEE ACTION: Reviewed by PFR on 7/26/89. Recommendation to approve the City Manager's recommendation to authorize the sale and the abandonment. Districts 1, 6, 7 and 8 voted yea. District 5 not present.

FILE LOCATION: Subitem-A: DEED F5005;  
Subitem-B: DEED F-5006 DEEDFY90-2

COUNCIL ACTION: (Tape location: A322-367.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-113:

Two actions relative to sale by negotiation of an unnamed right-of-way to Sixth and Cedar, Ltd:  
(Centre City Community Area. District-8.)

Subitem-A: (R-90-78) ADOPTED AS RESOLUTION R-274182

Authorizing the sale by negotiation of an unnamed right-of-way adjacent to Lot 11, Block 8, Bayview Homestead, for the sum of \$30,725 to Sixth and Cedar, Ltd.; authorizing the execution of a grant deed, granting to Sixth and Cedar, Ltd., all that portion of an unnamed right-of-way adjacent to Lot 11, Block 8, Bayview Homestead; determining that no broker's commission shall be paid by the City on the negotiated sale.

Subitem-B: (R-90-79) ADOPTED AS RESOLUTION R-274183



Certifying that the information contained in Environmental Negative Declaration END-88-0433, has been reviewed and considered by the Council.

**CITY MANAGER SUPPORTING INFORMATION:** On May 16, 1988 the City Manager was authorized by Council to enter into an Exclusive Sale with Sixth and Cedar, Ltd., for the purchase of the subject parcel. The sale was delayed due to an EIR requirement in connection with the street vacation. The subject right-of-way was relinquished to the City in 1963, and is surplus to the City's needs. The adjacent owner, Sixth and Cedar, Ltd., made application to vacate the right-of-way. As a condition of the vacation, Sixth and Cedar, Ltd. is required to purchase the subject 943.68 square-foot property at the appraised value of \$30,725. Sixth and Cedar Ltd., has no present plans for development of the subject property and its adjacent parcel. Both are zoned R-400 and will ultimately be developed to the highest and best use as a commercial/residential high rise. The sale is conditioned upon

the filing of a street vacation action, which will be presented to Council concurrently with the sale transaction.

**FILE LOCATION:** DEED F-5007 DEEDFY90-1

**COUNCIL ACTION:** (Tape location: A322-367.)

**CONSENT MOTION BY McCOLL TO ADOPT.** Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

**\* ITEM-114:**

Two actions relative to the exclusive sale of City-owned land - Portion of Erma Road:  
(Mira Mesa Community Area. District-5.)

**Subitem-A: (R-90-120) ADOPTED AS RESOLUTION R-274184**

Authorizing the sale by negotiation of a portion of Erma Road for the amount of \$30,000 to Brehm Communities, the adjacent owner; authorizing the execution of a grant deed, granting to Brehm Communities all that portion of Erma Road; declaring that no broker's commission shall be paid by the City on the negotiated sale.

**Subitem-B: (R-90-136) ADOPTED AS RESOLUTION R-274185**

Certifying that the information contained in Environmental Impact Report EIR-83-0364, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and that said Declaration has been reviewed and considered by the Council.

COMMITTEE ACTION: Reviewed by PFR on 7/26/89. Recommendation to approve the City Manager's recommendation to authorize the exclusive sale. Districts 1, 6, 7 and 8 voted yea. District 5 not present.

CITY MANAGER SUPPORTING INFORMATION: The City of San Diego was approached by Brehm Communities to sell a 0.196 acre excess piece of City-owned property located at the northerly terminus of Erma Road, northerly of Scripps Vista Way. This

parcel was relinquished to the City by the State of California in 1979. The subject parcel is considered marginal for independent R-3000 zoning due to shape (frontage of 60.00 feet and width of 65.00 feet) and has been incorporated into the tentative map for the adjacent planned residential development known as Scripps Midlands. Plans show a portion of the parcel to be used for a tennis court and the remainder to be used for landscaping. This parcel has been appraised at \$30,000 by an Independent Fee Appraiser. A condition of the sale is a street vacation action which is being brought before Council concurrently with this transaction.

FILE LOCATION: DEED F-5008 DEEDFY90-1

COUNCIL ACTION: (Tape location: A322-367.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-115:

Two actions relative to the vacation of an excess portion of Erma Road north of Scripps Vista Way:

(Scripps Miramar Ranch Community Area. District-5.)

Subitem-A: (R-90-148) ADOPTED AS RESOLUTION R-274186

Vacating the excess portion of Erma Road north of Scripps Vista Way in connection with Scripps Midlands (TM-86-0470); declaring that this resolution shall not become effective

unless and until the subdivision map for Scripps Midlands (TM-86-0470) has been approved by Council action; in the event that the final map is not approved by September 6, 1989, this resolution shall become void and be of no further force or effect.

Subitem-B: (R-90-149) ADOPTED AS RESOLUTION R-274187

Certifying that the information contained in Environmental Mitigated Negative Declaration EMND-83-0364 and Addendum EMND-88-1207, in connection with Scripps Midlands

(Tentative Map TM-86-0470), has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION: The proposed vacation has been requested by the abutting property owner in conjunction with Scripps Midlands (TM-86-0470). The area-of-vacation is to be incorporated with the adjacent property. Fee title of the vacation area is vested to the City, and a land sale is required. The right-of-way to be vacated totals approximately 8,668 square feet and is located within the Scripps Miramar Ranch Community. The right-of-way and adjacent property are within the R-1,500 Zone. The vacation area and adjacent 43.3 acres are to be subdivided into ten lots for residential development. The Subdivision Board approved the tentative map on July 21, 1986. Development of the site is controlled by Planned Residential Development PRD-88-1207, which was approved by the Planning Director on December 30, 1988. The right-of-way to be vacated is partially improved with pavement and, at one time, served as part of a frontage road that paralleled Interstate 15. The right-of-way was closed to traffic in the mid-1970's with the most westerly segment being converted to a non-motorized trail. The most westerly 17- to 24-foot-wide segment of Erma Road adjacent to the vacation area is to be retained to provide continuous access to the existing improved non-motorized trail adjacent to the northwest corner of the vacation area. The area-of-vacation may be considered as excess and surplus to future right-of-way requirements. There are no existing public utilities or franchise facilities within the right-of-way; easement reservations are not required. Staff review has indicated that the excess right-of-way to be vacated is no longer required for present or prospective public use and may be summarily vacated, subject to the consummation of the

required land sale and approval of Scripps Midlands  
(TM-86-0470).

FILE LOCATION: Subitem-A: DEED F-5009 & STRT - J-2722;  
Subitem-B: STRT - J-2722 DEEDFY90-1

COUNCIL ACTION: (Tape location: A322-367.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Struiksma. Passed  
by the following vote: Wolfsheimer-yea, Roberts-yea,  
McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-116:

Two actions relative to the vacation of an excess portion  
of an unnamed right-of-way west of Seventh Avenue:  
(Centre City Community Area. District-8.)

Subitem-A: (R-90-11) ADOPTED AS RESOLUTION R-274188

Vacating the excess portion of the unnamed right-of-way  
westerly of Seventh Avenue adjacent to Lot 11, Block 8, of  
Bayview Homestead, Map-150, under the procedure for the  
summary vacation of streets.

Subitem-B: (R-90-12) ADOPTED AS RESOLUTION R-274189

Certifying that the information contained in Environmental  
Negative Declaration END-88-0433, in connection with the  
Sixth and Cedar Rezone, sale of City-owned land, and Street  
Action, has been completed in compliance with the  
California Environmental Quality Act of 1970, as amended,  
and the State guidelines, and has been reviewed and  
considered by the Council.

CITY MANAGER SUPPORTING INFORMATION: The abutting property  
owner has requested the vacation of the southerly excess portion  
of the unnamed right-of-way located south of Interstate 5 and  
west of Seventh Avenue. The right-of-way to be vacated was  
relinquished from the State to the City for a public walkway.  
Since fee title of the walkway remains vested to the City, a  
negotiated land sale has been proposed by the Property  
Department and is to be considered by City Council as a  
companion item. The subject vacation is situated in an R-400  
Zone located within the Centre City Community and totals  
approximately 945 square feet. The applicant is proposing to  
rezone the property to the CBD Zone. Under this zone, the  
residential entitlement would be increased by five units. The

area-of-vacation is excess unimproved right-of-way adjoining a fully improved pedestrian walkway which links Sixth and Seventh Avenues together immediately south of Interstate 5. The right-of-way does not contain public or franchise facilities. The existing walkway improvements are to remain and will not be affected by the proposed vacation. Staff review has indicated that the area to be vacated is no longer required for present or prospective public use and may be summarily vacated.

FILE LOCATION: Subitem-A: DEED F-5010 & STRT - J-2723;  
Subitem-B: STRT - J-2723 DEEDFY90-1

COUNCIL ACTION: (Tape location: A322-367.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-117: (R-90-112) ADOPTED AS RESOLUTION R-274190

Accepting the Personnel Director's Quarterly Equal Employment Opportunity Report for the period of December 15, 1988 to March 23, 1989.  
(See Personnel Director Report dated 7/5/89.)

COMMITTEE ACTION: Reviewed by RULES on 7/5/89.

Recommendation to accept the Personnel Director's Report. Districts 2, 3, 4, 6, and 7 voted yea. Mayor not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A322-367.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-118: (R-90-221) ADOPTED AS RESOLUTION R-274191

Approving the recommendations in Intergovernmental Relations Department Report IRD-89-30 and directing the Intergovernmental Relations Department to forward to the League of California Cities the City of San Diego's request that they consider the adoption of resolutions

relating to limiting governmental liability and compensation for victims of drunk driving accidents, and redevelopment agencies and toxic contamination, when the League meets in annual conference in San Francisco on October 22 through 25, 1989.

(See Intergovernmental Relations Department Report IRD-89-30.)

COMMITTEE ACTION: Reviewed by RULES on 7/19/89.  
Recommendation to approve the Intergovernmental Relations Department's recommendation. Districts 3, 4, 6, 7 and Mayor voted yea. District 2 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A512-B072.)

MOTION BY ROBERTS TO ADOPT THE RESOLUTION AND TO DIRECT THE CITY MANAGER, WITH THE ASSISTANCE OF THE CITY ATTORNEY, TO DEVELOP LANGUAGE FOR A THIRD RESOLUTION WHICH WILL INCREASE THE ABC'S AUTHORITY TO RESTRICT AND CONTROL FORTIFIED WINES ON A STATE-WIDE BASIS. IN ADDITION, THE CITY ATTORNEY IS REQUESTED TO FURNISH THE CITY COUNCIL WITH LANGUAGE FOR A RESOLUTION ON THE TEN PERCENT INCOME TAX WHICH IS BEING SET ASIDE FOR CITY GOVERNMENTS. BRING THESE BACK TO COUNCIL ON SEPTEMBER 11, 1989.

Second by Wolfsheimer. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-119: (R-90-22) ADOPTED AS RESOLUTION R-274192

Authorizing the City Manager to accept the generous gift from San Diego Trust and Savings Bank of a landscape beautification project for Balboa Park; commending San Diego Trust and Savings Bank for its act of civic generosity and authorizing the City Manager to convey such expression of gratitude to Thomas Sefton; declaring that the intersection of Laurel Street, El Prado and Balboa Drive, shall be known as Sefton Plaza - Balboa Park; authorizing the City Manager to issue the requisite permits to coordinate the work directly with officials of the San Diego Trust and Savings Bank, and their contractors, to ensure that the project and the gift will be completed by October 10, 1989.

(See City Manager Report CMR-89-353. Balboa Park Community Area. District-8.)

COMMITTEE ACTION: Reviewed by PFR on 7/26/89.  
Recommendation to approve the City Manager's recommendation.  
Districts 1, 6, 7, and 8 voted yea. District 5 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A370-506.)  
MOTION BY FILNER TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksmma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-120: (R-90-1) ADOPTED AS RESOLUTION R-274193

Declaring that this City proudly sends the San Dieguito Surf Soccer Club to Yokohama, Japan to participate in tournament competition and festivities, bearing good will from the City of San Diego to the City of Yokohama; wishing the team members good luck in their competition and sending best regards to host families of San Diego team members.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A042-083.)  
MOTION BY HENDERSON TO ADOPT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksmma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-121: (R-90-233) ADOPTED AS RESOLUTION R-274194

Excusing Council Member Ron Roberts from attending the regularly scheduled Council meetings of Monday, July 31, 1989 and Tuesday, August 1, 1989; the regularly scheduled Public Services and Safety Committee and Rules Committee meetings of August 2, 1989; and the Special Joint City/County meeting of August 3, 1989, for the purpose of attending meetings in Washington, D.C. regarding the airport.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A322-367.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-122: (R-90-3) ADOPTED AS RESOLUTION R-274195

Authorizing the expenditure of an amount not to exceed \$6,500 from Water Revenue Fund 41502, and an amount not to exceed \$6,500 from Sewer Revenue Fund 41506, for a total expenditure of \$13,000 for the Capital Improvement Project, San Pasqual Water Reclamation Facility (CIP-73-290.0 and CIP-46-151.0), for the purpose of reimbursing Mr. Dickson for the loss of his improvements due to the relocation of Evergreen Nursery; authorizing \$13,000 to supplement the amounts previously authorized by Resolution R-273522. (See City Manager Report CMR-89-352. San Pasqual Valley Community Area. District-1.)

COMMITTEE ACTION: Reviewed by PFR on 7/26/89.

Recommendation to approve the City Manager's recommendation to authorize the additional expenditure of \$13,000 to supplement the \$12,000 previously authorized by Resolution R-273522, for the purpose of reimbursing Mr. Dickson for the loss of his improvements due to the relocation of Evergreen Nursery. Districts 6, 7, and 8 voted yea. District 1 voted nay. District 5 not present. Aud. Cert. 8901111. WU-P-89-194.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A322-367.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-123: (R-89-2578) ADOPTED AS RESOLUTION R-274196

Authorizing the City Manager to negotiate a joint use



agreement with the Poway Unified School District for the design and construction of a multi-purpose community building at Black Mountain Middle School.  
(See City Manager Report CMR-89-327. Penasquitos East Community Area. District-1.)

COMMITTEE ACTION: Reviewed by PFR on 7/26/89. Recommendation to approve the City Manager's recommendation and for the design and joint-use agreement to be reviewed by the Rancho Penasquitos Recreation Council. Districts 1, 6, 7 and 8 voted yea. District 5 not present.

FILE LOCATION: MEET CONFY90-1

COUNCIL ACTION: (Tape location: B074-085.)  
MOTION BY WOLFSHEIMER TO ADOPT AND TO DIRECT THE CITY MANAGER TO SHOW THE DESIGN AND JOINT USE AGREEMENT TO THE COMMUNITY PLANNING GROUP AS WELL AS THE RECREATIONAL COUNCIL. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksmay-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-124: (R-90-210) ADOPTED AS RESOLUTION R-274197

Authorizing the execution of agreements with two community agencies and first amendments to the agreements with three community agencies to operate social service programs during Fiscal Year 1990 at the funding levels recommended at the Council workshop held on June 29, 1989, as follows:

Center for Women's Studies and Services  
Clairemont Friendship Center  
San Diego State University Foundation  
Social Advocates for Youth  
Triple Crown Youth Coalition

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$1,613,760 from the General Fund (Fund 100) to the Human Care Services Special Fund (Fund 19662), and expend \$1,613,760 to operate 25 social service programs at the funding levels approved at the Council workshop of June 29, 1989; authorizing the City Auditor and Comptroller to expend \$1,178,981 from Fund 18525 (15th year CDBG Entitlement) to operate 10 social service programs approved at the Council workshop on June 29, 1989.

CITY MANAGER SUPPORTING INFORMATION: On June 19, 1989 City

Council authorized the funding of FY'90 social service programs on an interim two-month basis, with the additional ten-month funding levels to be determined after the financial ramifications of increased hiring of police officers were resolved. Agreements with social service providers were developed so as to have two months of funding ensured, with the remaining ten months dependent upon future Council action. A Council workshop was held on June 22, and the funding levels listed on the Request for Council Action as Attachment 1 were endorsed. The existing agreements with all but six of the agencies recommended for funding on June 19 reflect the funding levels recommended at the Council workshop. Three agreements (via first amendments to the agreements) need to be modified so as to reflect additional funding authorized at the workshop. They are: Social Advocates for Youth (\$10,000) for an additional Southeast Asian juvenile diversion component; Center for Women's Studies and Services (\$11,600) for a 24-hour hotline service; and Clairemont Friendship Center (\$10,000) for the purchase of additional "beeper" type communicators to be used by seniors in emergency medical situations. In addition, KPBS Radio Reading Service, administered by the San Diego State University Foundation, was authorized to receive \$7,500 to operate a reading service for the visually impaired; and Triple Crown Youth Coalition was authorized to receive \$10,000 to operate a summer work program in the Linda Vista area. Aud. Cert. 9000115.

FILE LOCATION: MEET CONTFY90-5

COUNCIL ACTION: (Tape location: A322-367.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-125: (R-90-209) ADOPTED AS RESOLUTION R-274198

Authorizing the City Manager to accept a grant in the amount of \$166,000 from the U. S. Department of Housing and Urban Development (HUD) for the provision of homeless services; authorizing the execution of agreements with the Travelers Aid Society of San Diego, Catholic Charities, Inc., and San Diego Housing Commission to operate programs designed to assist the homeless population in the San

Diego Area; authorizing expenditures in the amount not to exceed \$166,000 for the purpose of providing funds for the execution of the above agreements.

CITY MANAGER SUPPORTING INFORMATION: The City has requested and received funding under the Emergency Shelter Grant (ESG) section of the Homeless Assistance Act for the past three years. The programs funded under the first three rounds of funding were designed to afford the homeless population shelter for limited time periods, generally restricted to 30 days or less. With the fourth round of ESG monies, the following three programs are recommended for funding:

1) Homeless Transitional Housing Program (\$136,000) - A program to assist those homeless individuals who are receiving assistance from existing agencies to help them overcome the problems and circumstances that led to their homelessness. The individuals that will receive subsidized rental assistance under this program will already have a job (or are job-ready), and will set aside approximately 30 percent of their income so as to have savings to pay for the first and last months rent upon completion of their participation in the program; 2) Interagency Bulletin Board Project (\$25,000) - A program designed to enable the agencies who assist the homeless in the San Diego area to share information as it relates to their clients. Bed availability, inclement weather plans, client demographics and other vital information will be readily available via the proposed computerized system; and 3) Transportation Assistance Program (\$5,000) - Agencies that serve the homeless population stress the need for programs designed to

offset transportation costs resulting from getting their client to job interviews, medical screening, job sites, etc. The recommended program is designed to assist the agencies by providing funding to purchase bus/trolley tokens for the aforementioned needs.

Aud. Cert. 9000114.

FILE LOCATION: MEET CONFY90-3

COUNCIL ACTION: (Tape location: A322-367.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-126:

Four actions relative to agreements with Logan Heights Family Health Center, Boys Clubs of San Diego, Inc., Service Center for the Blind and Union of Pan Asian Communities:

(Encanto, Clairemont, Mid-City, Barrio Logan and Golden Hills Community Areas. Districts-4, 6, 7, and 8.)

Subitem-A: (R-90-134) ADOPTED AS RESOLUTION R-274199

Authorizing the execution of an agreement with Logan Heights Family Health Center for the renovation of their facilities; authorizing the expenditure of an amount not to exceed \$500,000 from CIP-37-171.1, Logan Heights Family Health Center, C.D.B.G. Fund 18525, Dept. 5882, Org. 8211, for the purpose of providing funds for the above project.

Subitem-B: (R-90-138) ADOPTED AS RESOLUTION R-274200

Authorizing the execution of an agreement with Boys Clubs of San Diego, Inc. for the renovation of their facilities; authorizing the expenditure of an amount not to exceed \$134,000 from CIP-37-228.0, Boys Clubs of San Diego, Clairemont Branch, C.D.B.G. Fund 18525, Dept. 5882, Org. 8203; and \$50,000 from CIP-37-168.1, Boys Clubs of San Diego, Encanto Branch, from Fund 18524, Dept. 5662, Org.

6204, for the purpose of providing funds for the above project.

Subitem-C: (R-90-212) ADOPTED AS RESOLUTION R-274201

Authorizing the execution of an agreement with Service Center for the Blind, for the renovation of their facilities; authorizing the expenditure of an amount not to exceed \$179,000 from CIP-37-225.0, Service Center for the Blind, from Fund 18525, Dept. 5882, Org. 8204, for the purpose of providing funds for the above project.

Subitem-D: (R-90-213) ADOPTED AS RESOLUTION R-274202

Authorizing the execution of an agreement with the Union of Pan Asian Communities for the renovation of their facilities; authorizing the expenditure of an amount not to exceed \$82,500 from CIP-37-209.0, Union of Pan Asian Communities, Fund 18524, Dept. 5662, Org. 6205, for the

purpose of providing funds for the above project.

CITY MANAGER SUPPORTING INFORMATION: A) Logan Heights Family Health Center is a multi-service health clinic located at 1809 National Avenue. The master planned project includes both renovation of existing buildings and new construction. Phases I, II, and III have been completed with a combination of C.D.B.G. and private funds. This agreement is for the design and partial construction of Phase IV.

B) The Boys Clubs of San Diego County have ongoing renovation projects at both the Clairemont and Encanto Branches. The Clairemont Branch Project consists mainly of exterior improvements and the Encanto Branch will receive a new roof.

C) San Diego Service Center for the Blind is located in an old savings and loan building at 5922 El Cajon Blvd. The agency has completed the design plans to remodel the interior providing more efficient space for both their staff and students. This agreement is to provide for the construction of those improvements.

D) The Union of Pan Asian Communities of San Diego County is a non-profit multi-service agency located at 1031 25th Street. This is Phase III of an ongoing improvement program and consists of the upgrading of the electrical and plumbing systems. The agency has had plans and specifications prepared and anticipate construction to begin soon after this agreement is approved.  
Aud. Cert. 9000126.

FILE LOCATION: MEET CONFY90-4

COUNCIL ACTION: (Tape location: A322-367.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-200: (O-90-29) HEARING HELD

First public hearing in the matter of Fixing the Tax Rate and Levying Taxes for Fiscal Year 1989-90.  
(See City Manager Report CMR-89-378.)

NOTE: Today's action is the first public hearing of the Ordinance. See Item 330 on the docket of Tuesday, August 8, 1989 for the introduction and adoption.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: A322-367.)

MOTION BY McCOLL TO APPROVE THE FIRST HEARING. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-201: (O-90-17) INTRODUCED, TO BE ADOPTED SEPTEMBER 11, 1989

Introduction of an Ordinance amending Ordinance O-17305 (New Series), as amended, entitled "An Ordinance Establishing a Schedule of Compensation for Officers and Employees of the City of San Diego for the Fiscal Year 1989-90" to create the new position of Child Care Coordinator; exempting the new position from the Classified Service; amending Exhibit "C" of the Ordinance to include the position in Managerial Category B; and establishing a salary rate therefor.

CITY MANAGER SUPPORTING INFORMATION: On June 19, 1989 the City Council authorized the establishment of a new position of Child Care Coordinator, to be funded out of Council's annual allocation for social services. The Manager is requesting that the position be established in the Unclassified Service and assigned to the Community Services Program. The Child Care Coordinator will plan, organize, coordinate, and participate in initiatives and strategies designed to increase the availability, accessibility, and affordability of quality child care services for City and private sector employees, as prescribed in the City's Child Care Policy (No. 300-12). Specific duties and responsibilities will include, but not be limited to the following: 1) maintain liaison and coordination with City departments, other governmental agencies, private sector developers, local employers, school districts, and other interested organizations and individuals for the purpose of facilitating the expansion of quality child care services within the City, 2) develop, implement, and maintain a comprehensive Master Plan for Child Care for the City of San Diego, 3) research, prepare, and present written and oral reports on child care issues to the City Council, 4) analyze State and Federal legislation and regulations pertaining to child care, and recommend appropriate actions to the City Council, and 5) assist in the establishment of a Child Care Advisory Board, and provide staff assistance to the Board. The Civil Service Commission has reviewed the exemption of this position from the Classified

Service and endorsed the proposal.

FILE LOCATION:     - -

COUNCIL ACTION:    (Tape location: A322-367.)

MOTION BY McCOLL TO INTRODUCE THE ORDINANCE. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-202: (O-90-24) CONTINUED TO SEPTEMBER 11, 1989

First public hearing in the matter of:

Amending Ordinance O-17326 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1989-90 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year", by amending Document No. 00-17326-1, as amended and adopted therein, by amending the personnel authorization of the Engineering and Development

Department (540), in General Fund 100, by adding one (1.00) Deputy Director position; exempting the Deputy Director position from the Classified Service; and establishing a salary rate therefor.

CITY MANAGER SUPPORTING INFORMATION: This Ordinance will add one Deputy Director to the Engineering and Development Department. This additional Deputy Director position will allow the Department to implement the Mobility Planning Program recently approved by Council and included in the FY 1990 budget by creating a new Transportation Demand Management Division with staffing currently funded in the FY 1990 budget. It will also coordinate activities with other Divisions of the Department leading to improved traffic flow on the existing street system. Today's action will provide authorization to establish the division. Staff will subsequently define a specific work program which will be brought forward for action within 60 days. Once Council approval has been obtained for that work program, the balance of required staffing will be hired. On July 26, 1989 the Civil Service Commission will consider exempting the additional Deputy Director position from the Classified Service. The results of that action will be presented to Council on August 7, 1989.

NOTE: Today's action is the first public hearing of the Ordinance. See Item 341 on the docket of Tuesday, August 8,

1989 for the introduction and adoption.

FILE LOCATION:    - -

COUNCIL ACTION:    (Tape location: B621-C076.)

MOTION BY ROBERTS TO CONTINUE TO SEPTEMBER 11, 1989, UNTIL AFTER T&LU HAS HEARD THE MATTER, AND TO DIRECT THE CITY MANAGER TO COORDINATE WITH SANDAG RELATIVE TO THE CITY ADDING ONE ADDITIONAL REPRESENTATIVE TO THE STEERING COMMITTEE; THAT THIS ADDITIONAL REPRESENTATIVE BE A STAFF PERSON FROM MTDB AND THAT THIS REPRESENTATIVE BE A PART OF THAT STEERING COMMITTEE AS SOON AS POSSIBLE. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-203: (R-90- )    ADOPTED AS RESOLUTION R-274203

In the Matter of the Mission San Diego De Alcala  
Excavation.

FILE LOCATION:    MEET

COUNCIL ACTION:    (Tape location: C079-E238.)

Motion by Henderson to refer to the Rules Committee the question of keeping the existing building permit open and of waiving the fees. Second by Roberts. Passed. Yeas-2,3,5,6,M. Nays-1,7,8. Not Present-4.

MOTION BY McCARTY TO THANK THE CHURCH FOR WORKING WITH THE INDIANS AND ARCHAEOLOGISTS AND FOR ARRIVING AT A SOLUTION TO THIS PROBLEM. REFER THE TESTIMONY PRESENTED TO THE PLANNING DEPARTMENT FOR REVIEW; REFER TO THE PLANNING DEPARTMENT, THE CITY ATTORNEY, AND THE CITY MANAGER THE QUESTION OF "HOW DO WE AVOID A SITUATION LIKE THIS IN THE FUTURE," AND WHETHER OR NOT OUR SENSITIVE LANDS ORDINANCE IS SUFFICIENT OR DO WE NEED SOMETHING ELSE. BRING THE REFERRED ISSUES TO THE RULES COMMITTEE IN SIX MONTHS WITH AN INFORMATIONAL REPORT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-204:

Six actions relative to the Mission Beach Roller Coaster:  
(See City Manager Report CMR-89-363. Mission Beach  
Community Area. District-6.)



Subitem-A: (R-90-219) ADOPTED AS RESOLUTION R-274204

Authorizing the execution of a lease agreement with San Diego Seaside Company, with a term of 31 years, for the restoration, operation and maintenance of the Mission Beach Roller Coaster.

Subitem-B: (R-90-220) ADOPTED AS RESOLUTION R-274205

Certifying that the information contained in Environmental Impact Report EIR-88-0621, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and

has been reviewed and considered by the Council; adopting the findings made with respect to the feasibility of the mitigating measures, project alternatives and the statements of overriding considerations, if any, contained within Environmental Impact Report EIR-88-0621.

Subitem-C: (R-90-223) ADOPTED AS RESOLUTION R-274206

Authorizing the approval of the Coastal Development Permit No. 88-0621, for the restoration, operation, and maintenance of the roller coaster.

Subitem-D: (R-90-222) ADOPTED AS RESOLUTION R-274207

Accepting the generous donation of the Mission Beach Roller Coaster from Save The Coaster Committee; authorizing the City Manager to accept the Bill of Sale transferring the roller coaster to the City.

Subitem-E: (O-90-28) INTRODUCED, TO BE ADOPTED  
SEPTEMBER 11, 1989

Introduction of an Ordinance amending Chapter V, Article 9.5, Division 4, of the San Diego Municipal Code by amending Section 59.5.0401, relating to Sound Level Limits.

Subitem-F: (O-90-27) FILED

Introduction of an Ordinance amending Chapter II, Article 6, of the San Diego Municipal Code by adding Section 26.18, relating to the Mission Beach Park (Belmont Park)

Roller Coaster Advisory Board.

(R-90-324) ADOPTED AS RESOLUTION R-274209

Establishing a roller coaster advisory committee to assure the continued restoration, operation and maintenance of the roller coaster and referring the issue of its composition to the PF&R Committee.

FILE LOCATION: Subitem-A,B,C,D,F: LEAS - San Diego Seaside  
Company; Subitem-E: -- LEASFY90-1

COUNCIL ACTION: (Tape location: E239-G278.)

MOTION BY HENDERSON TO MAKE THE FINDINGS REQUIRED BY THE COASTAL DEVELOPMENT ORDINANCE AND APPROVE THE COASTAL PERMIT AS SUBMITTED; MOVE THE CITY MANAGER'S RECOMMENDATION ON THE COASTER

AUTHORIZING THE EXECUTION OF THE LEASE, ADOPTING AND CERTIFYING THE EIR, AMENDING THE NOISE ORDINANCE, AUTHORIZING THE APPROVAL OF THE COASTAL DEVELOPMENT PERMIT FOR RESTORATION, ETC., ACCEPTING THE DONATION OF THE ROLLER COASTER FROM THE SAVE THE COASTER COMMITTEE AS LAID OUT IN THE CITY MANAGER'S REPORT; ON THE COASTER ADVISORY GROUP, ESTABLISH A ROLLER COASTER ADVISORY COMMITTEE TO ASSURE THE CONTINUED RESTORATION OPERATION AND MAINTENANCE OF THE ROLLER COASTER, AND REFER THE ISSUE OF ITS COMPOSITION TO PF&R. AUTHORIZE THE CITY MANAGER TO APPROVE OPERATION OF THE CAROUSEL AT MISSION BEACH PARK AS SUBMITTED AND AS RECOMMENDED IN THEIR REPORT. DIRECT THE CITY MANAGER TO SET THE MAXIMUM HOUR OF OPERATION FOR THE COASTER, REGARDLESS OF THE HOLIDAYS, AT 11:00 P.M.; IN ADDITION, THE CAROUSEL, IN NO EVENT, SHALL BE OPERATED OUTSIDE THE OPERATING HOURS OF THE COASTER.

Second by McColl. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present,  
Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor  
O'Connor-yea.

ITEM-205: (R-90-135) ADOPTED AS RESOLUTION R-274210

Finding that the carousel operation proposed by Belmont Park Associates is a "related or incidental" use under the lease and that it is also an "incidental and related" use to those uses specifically authorized under Proposition G; authorizing the City Manager to approve the installation and operation of a carousel in Mission Beach Park in a

manner and as more particularly described in the Manager's report.

(See City Manager Report CMR-89-380. Mission Beach Community Area. District-6.)

FILE LOCATION: LEAS - Belmont Park Associates  
LEASFY90-1

COUNCIL ACTION: (Tape location: E239-G278.)

MOTION BY HENDERSON TO MAKE THE FINDINGS REQUIRED BY THE COASTAL DEVELOPMENT ORDINANCE AND APPROVE THE COASTAL PERMIT AS SUBMITTED; MOVE THE CITY MANAGER'S RECOMMENDATION ON THE COASTER

AUTHORIZING THE EXECUTION OF THE LEASE, ADOPTING AND CERTIFYING THE EIR, AMENDING THE NOISE ORDINANCE, AUTHORIZING THE APPROVAL OF THE COASTAL DEVELOPMENT PERMIT FOR RESTORATION, ETC., ACCEPTING THE DONATION OF THE ROLLER COASTER FROM THE SAVE THE COASTER COMMITTEE AS LAID OUT IN THE CITY MANAGER'S REPORT; ON THE COASTER ADVISORY GROUP, ESTABLISH A ROLLER COASTER ADVISORY COMMITTEE TO ASSURE THE CONTINUED RESTORATION OPERATION AND MAINTENANCE OF THE ROLLER COASTER, AND REFER THE ISSUE OF ITS COMPOSITION TO PF&R. AUTHORIZE THE CITY MANAGER TO APPROVE OPERATION OF THE CAROUSEL AT MISSION BEACH PARK AS SUBMITTED AND AS RECOMMENDED IN THEIR REPORT. DIRECT THE CITY MANAGER TO SET THE MAXIMUM HOUR OF OPERATION FOR THE COASTER, REGARDLESS OF THE HOLIDAYS, AT 11:00 P.M.; IN ADDITION, THE CAROUSEL, IN NO EVENT, SHALL BE OPERATED OUTSIDE THE OPERATING HOURS OF THE COASTER.

Second by McColl. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present,  
Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor  
O'Connor-yea.

ITEM-206: (R-90-243) ADOPTED AS RESOLUTION R-274211

Council confirmation of the following appointments by the Mayor to serve as members of the Local Assessment Committee to review a proposed specified hazardous waste facility in Otay Mesa:

(See memorandum from Mayor O'Connor dated 7/26/89; City Attorney Memorandum dated 5/23/89; and Planning Department Report PDR-89-319.)

Greg Medico  
Maryann Miller  
Margaret Welsh

Jack B. Conway  
Lois Fong-Sakai  
A. W. Bill Anderson Jr.  
G. Michael Strode

COMMITTEE ACTION: Reviewed by RULES on 6/7/89.

Recommendation to approve the Planning Director's recommendation that the Rules Committee initiate the formation of the Local Assessment Committee pursuant to State law, AB 2948 (Tanner: Sitting procedures for

specified hazardous waste facilities), and that the appointments to the Local assessment Committee be docketed for Council confirmation. Districts 2, 4, 6, 7, and Mayor voted ye. District 3 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A322-367.)

MOTION BY McCOLL TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-ye, Roberts-ye, McColl-ye, Pratt-not present, Struiksma-ye, Henderson-ye, McCarty-ye, Filner-ye, Mayor O'Connor-ye.

ITEM-207: (R-90-236) ADOPTED AS RESOLUTION R-274212

Council confirmation of the following appointments by the Mayor to serve as members of the Waste Management Advisory Board, and of John J. Lormon to serve as Chair for the Board, for terms ending as indicated:

(See memorandum from Mayor O'Connor dated 7/28/89 with resumes attached.)

NAME	TERM EXPIRES
John J. Lormon (Chair)	10/1/91
Diane Takvorian	10/1/91
Richard Babcock	10/1/91
Jeanne Davies	10/1/91
Clifford Graves	10/1/91
Jeffrey S. Ritchie	10/1/90
Recuerdo A. Rosete	10/1/90
Perry H. Ferguson	10/1/90
Dolores Wozniak	10/1/90

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A322-367.)

MOTION BY McCOLL TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-208: (R-90-130) TRAILED TO TUESDAY, AUGUST 8, 1989, 11:00 A.M.

Approving and adopting the Fiscal Year 1990 Budget for the San Diego Convention Center Corporation; authorizing the expenditure of those funds contained in the Fiscal Year 1990 Budget for the San Diego Convention Center Corporation, not to exceed the amount budgeted.  
(See memorandum from the City Manager dated 7/11/89.)

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: G290-470.)

Motion by Struiksma to trail the item to Tuesday, August 8, 1989, 11:00 a.m. for a response from staff regarding the percent of increase in salary and wages, and how salaries are set.  
Second by McColl. No vote taken.

ITEM-209: NOTED AND FILED

In the matter of the request of Accolades '89 for a waiver of San Diego Jack Murphy Stadium's rental fee of \$5,000 or 10 percent of gross ticket sales, whichever is greater, plus actual cost of service, to conduct a Benefit Concert at the Stadium.

(Mission Valley Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: Accolades '89 is a non-profit organization established to conduct special events to recognize and salute San Diego County's military population during the month of October, 1989. Accolades '89 in FY 1990 will receive \$10,000 in Transient Occupancy Tax Funds for their program. They would like to put on a major event at San Diego Jack Murphy Stadium at the end of October. In conjunction with

the USO, they are trying to secure the services of Bob Hope and other major talent. There is a possibility that with Bob Hope's participation NBC may underwrite and televise the event. Accolades '89 is proposing that active military be admitted free and the balance of tickets be sold to the public. They are

requesting that the City waive the Stadium's rental fee of \$5,000 or 10 percent of gross ticket sales, whichever is greater, plus actual cost of service, e.g. clean-up costs. It is projected that the ticket sales would result in \$40,000 in revenue to the City. Under Accolades '89 proposal, the City would receive its normal share of parking and concession revenues estimated at \$80,000. City expenses would total \$10,000, and the net revenues would therefore be \$70,000. At the July 6, 1989 San Diego Stadium Authority Board of Governor's meeting, the Board by a 7-1 vote, voted to recommend to the City Council that the rental fee be waived. The Board recommended the waiver due to the nature of the event and the fact that the City would still receive \$70,000 in revenues after expenses. However, the Board stated that if a television network underwrites the event, Accolades '89 would pay the standard rental fee. It is the City Manager's recommendation that the Stadium's rental fee not be waived for two reasons. First, it would set a precedent for other non-profit organizations to request a waiver of rental fees. Second, it would reduce Stadium revenues by approximately \$50,000, and in view of the City's current financial situation this is not advisable.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A273-280.)

MOTION BY McCOLL TO NOTE AND FILE AT THE CITY MANAGER'S REQUEST BECAUSE THE REQUEST FOR A WAIVER OF THE RENTAL FEE BY ACCOLADES WAS WITHDRAWN. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-210: (R-89-2538) NOTED AND FILED

(Continued from the meetings of June 6, 1989, Item S502B, and July 17, 1989, Item 201; last continued at Council Member Roberts' request, for further review.)  
Terminating the operating agreement between the City of San Diego and San Diego Data Processing Corporation for provision of data processing and telecommunication services, pursuant to paragraph 13(b) (3) of the basic operating agreement.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: G473-507.)

MOTION BY ROBERTS TO NOTE AND FILE. Second by Wolfsheimer.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-S400: (R-90-266) ADOPTED AS RESOLUTION R-274213

Cancelling the scheduled City Council Meeting of Tuesday, September 5, 1989, due to an anticipated lack of quorum of City Council Members because of official City business out of the City, pursuant to the San Diego Municipal Code Section 22.0101, Rule 1; directing the City Clerk to post and publish appropriate notice of the cancellation.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A322-367.)

CONSET MOTION BY McCOLL TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-S401: (R-90-169) ADOPTED AS RESOLUTION R-274214

Accepting the low bid of \$32,949 and awarding a contract to Applied Waterproofing Technology, Inc. for Structural Repairs, Spanish Village, Balboa Park; authorizing the expenditure of an amount not to exceed \$5,400 from Balboa Park Improvement Fund 102242 Fiscal Year 1989, to supplement funds previously authorized by Resolution R-273453, adopted on May 15, 1989, for providing funds for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-0672/89)

(Balboa Park Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: This project will provide for the restoration of the columns at the south wall of Spanish Village. The present structure is deteriorated and requires repair. This project was estimated to cost \$30,000. One bid was received from Applied Waterproofing Technology, Inc. for \$32,949 - 18 percent over the estimate. The difference is attributed to the intangible costs for unknown subsurface

conditions, extent of preparation and access difficulties.  
Aud. Cert. 9000172.

FILE LOCATION: CONT - Applied Waterproofing Technology,  
Inc. CONFY90-1

COUNCIL ACTION: (Tape location: A322-367.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Struiksma. Passed  
by the following vote: Wolfsheimer-yea, Roberts-yea,  
McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-S402: (R-90-225) ADOPTED AS RESOLUTION R-274215

A Resolution approved by the City Council in Closed Session  
on Tuesday, July 18, 1989 by the following vote:  
Wolfsheimer-yea; Roberts-not present; McColl-yea;  
Pratt-yea; Struiksma-yea; Henderson-yea; McCarty-yea;  
Filner-not present; Mayor-yea.

Authorizing the City Manager to pay the total sum of  
\$75,000 in the settlement of each and every claim against  
the City, its agents and employees, resulting from the  
personal injury to Nettie Thomas, (United States District  
Court Case No. 84-1552-R(M), Nettie Thomas v. City of San  
Diego, et al.); authorizing the City Auditor and  
Comptroller to issue one check in the amount of \$75,000  
made payable to Nettie Thomas and her attorney, Daniel  
Weber, in full settlement of the lawsuit and all claims.

CITY MANAGER SUPPORTING INFORMATION: This constitutes the  
complete and final settlement of the bodily injury claim of  
Nettie Thomas against the City of San Diego as a result of the  
incident of December 3, 1983.

Aud. Cert. 9000127.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A322-367.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Struiksma. Passed  
by the following vote: Wolfsheimer-yea, Roberts-yea,  
McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-S403: (R-90-256) ADOPTED AS RESOLUTION R-274216



Expressing appreciation and gratitude to Orlando Vernacchia  
for his years of volunteer community service in the Mira  
Mesa Community.  
(District-5.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A322-367.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Struiksma. Passed  
by the following vote: Wolfsheimer-yea, Roberts-yea,  
McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-S404: (R-90-102 Rev.) ADOPTED AS RESOLUTION R-274217

Authorizing the execution of an agreement with Dr. Michael  
Mantell, psychologist, for continuation of the Police  
Department's Psychological Services Program from July 1,  
1989 through June 30, 1990; authorizing the expenditure of  
an amount not to exceed \$235,457 from Fund No. 100,  
Department No. 110, Organization No. 320, Account No. 4151,  
Job Order No. 111215, for the purpose of providing funds  
for the above project.

CITY MANAGER SUPPORTING INFORMATION: Since 1980, the City  
has contracted with Dr. Michael R. Mantell, a psychologist, to  
provide psychological services for the Police Department.

These services include officer and family counseling;  
preemployment psychological screening of Police Recruits,  
Reserve Officers and Community Service Officers; management  
consultation; and training. Experience has shown this  
psychological services program to be very effective. The  
constant support made available to officers and their families  
is invaluable. Therefore, another twelve-month agreement with  
Dr. Mantell is recommended. The new agreement specifically  
calls for the following changes in salary and support cost.

- 1) Compensation for the Psychologist is increased from \$80,000  
to \$83,200 to maintain a salary level commensurate with the  
education and experience requirements of the position.
- 2) Support expenses have increased from \$145,992 to \$152,257 to  
provide for inflationary increases in operating expenses.

The contract calls for 1,850 hours per year each for the  
Psychologist and two Associate Psychologists.

Aud. Cert. 9000086.

FILE LOCATION: MEET CONFY90-1

COUNCIL ACTION: (Tape location: A322-367.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S405:

Two actions relative to Mira Mesa Community Park No. 3:  
(See City Manager Report CMR-89-342. Mira Mesa Community Area. District-5.)

Subitem-A: (R-90-139 Rev.) ADOPTED AS AMENDED AS RESOLUTION  
R-274218

19890807

Authorizing the execution of a 55 year agreement with the San Diego Community College District of San Diego, for the lease, development, maintenance and operation of a portion of the San Diego Miramar College campus; authorizing the execution of an agreement with Pardee Construction Company for the construction of Mira Mesa Community Park No. 3 - Phase I.

Subitem-B: (R-90-688) ADOPTED AS RESOLUTION R-274219

Certifying that the information contained in Environmental Impact Report EIR-87-0546, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and has been reviewed and considered by the Council.

COMMITTEE ACTION: Reviewed by PFR on 7/12/89. Recommendation to approve the City Manager's recommendation to execute the agreements. Districts 1, 5, 6, 7 and 8 voted yea.

FILE LOCATION: LEAS - San Diego Community College District  
LEASFY90-1 & CONFY90-1

COUNCIL ACTION: (Tape location: B609-621.)

MOTION BY McCOLL TO ADOPT THE RESOLUTION APPROVING THE 55-YEAR LEASE IN CONCEPT AND DIRECTING THE CITY MANAGER TO DOCKET AN ORDINANCE TO AUTHORIZE THE EXECUTION OF THIS AGREEMENT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-S406: (R-90-250) ADOPTED AS RESOLUTION R-274220

Directing the City Manager to prepare plans, specifications and estimates to grade Aero Drive Industrial Park, pursuant to Alternative 1 in City Manager Report CMR-89-392.

(See City Manager Report CMR-89-392. Serra Mesa Community Area. District-5.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A322-367.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S407: CONTINUED TO SEPTEMBER 25, 1989

(Continued from the meeting of August 1, 1989, Item 331, at the City Manager's request, for further review.)

Matter of a proposal to amend Chapter 10, Article 3, Division 3 of the San Diego Municipal Code by adding Section 103.0307 relating to the La Jolla Shores Planned District to require that a developer of any property contemplating a development that will be located below the water table take certain actions with respect to water removal and disposal.

The proposed amendment also constitutes an amendment to the City of San Diego's Local Coastal Program (LCP). If approved, the proposed LCP amendment must be transmitted to the California Coastal Commission for review and final approval. The proposed LCP amendment would not become effective until after approval by the California Coastal Commission.

(District-1.)

Subitem-A: (O-89-235)

Introduction of an Ordinance amending the La Jolla Shores Planned District Ordinance.

Subitem-B: (R-89-2621)

Adoption of a Resolution amending the Local Coastal Program (LCP) and authorizing transmittal to the California Coastal Commission.

FILE LOCATION: Subitem-A: - - ; Subitem-B: LAND - La Jolla  
Shores Planned District

COUNCIL ACTION: (Tape location: A280-290.)

MOTION BY WOLFSHEIMER TO CONTINUE TO SEPTEMBER 25, 1989, AT HER REQUEST TO HEAR THE ITEM AFTER THE LA JOLLA SHORES ASSOCIATION MEETS. Second by Roberts. Passed by the following vote:  
Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S408: (O-90-31) HEARING HELD

First public hearing in the matter of:  
Amending Ordinance O-17326 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for Fiscal Year 1989-90 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year," by transferring \$38,000 from the Unallocated Reserve to the Library Department's General Fund Budget to fund Sunday service hours at Otay Mesa, North Park and Mira Mesa Branch Libraries; authorizing the City Auditor and Comptroller to transfer within the General Fund 100 the sum of \$38,000 from the Unallocated Reserve 605 to the Library's Budget for the above purpose.  
(Districts-3, 5, and 8.)

NOTE: See Item S500 on the docket of Tuesday, August 8, 1989, for the introduction and adoption of the ordinance.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: G512-700.)

ITEM-S409: (R-90-257) PUBLIC NOTICE ONLY

Adopted as Resolution R-274136.  
A Resolution approved by the City Council in Closed Session on Tuesday, August 1, 1989 by the following vote:  
Wolfsheimer-yea; Roberts-not present; McColl-yea; Pratt-yea; Struiksma-yea; Henderson-not present; McCarty-yea; Filner-yea; Mayor-yea.  
Authorizing the City Manager to pay the total sum of \$218,833 in the settlement of each and every claim against the City, its agents and employees, resulting from the wrongful death of Tommie Charles Dubose, (U.S.

District Court Case No. 88-1585-GT(IEG) Mary Dubose v. City of San Diego, et al.); authorizing the City Auditor and Comptroller to issue two checks: (1) in the amount of \$65,000 made payable to Mary Dubose and her attorney of record, James Randall; and (2) in the amount of \$153,833, made payable to Transamerica Annuity Service Corporation, in full settlement of all claims.

CITY MANAGER SUPPORTING INFORMATION: This constitutes the complete and final settlement of the wrongful death claim of Tommie Charles Dubose against the City of San Diego as a result of an incident on March 12, 1988.

Aud. Cert. 9000150.

\* ITEM-S410:

Two actions relative to the Construction of East Mission Bay Interceptor Peak Period Pumping Facility:  
(Mission Bay Park Community Area. District-6.)

Subitem-A: (R-90-167) ADOPTED AS RESOLUTION R-274221

19890807

Inviting bids for the Construction of East Mission Bay Interceptor Peak Period Pumping Facility on Work Order No. 170341; authorizing the execution of a contract with the lowest responsible bidder; authorizing the City Manager, if circumstances warrant, to finance or refinance this project with tax exempt securities; authorizing the expenditure of an amount not to exceed \$1,780,000 from Sewer Revenue Fund 41506, Sewer Construction Outlay 70492, CIP-43-123, Morena Boulevard Interceptor, for providing funds for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K0892/90)

Subitem-B: (R-90-168) ADOPTED AS RESOLUTION R-274222

Authorizing the use of City Forces to make connections and perform operational checks as required in connection with the Construction of East Mission Bay Interceptor Peak Period Pumping Facility; declaring that the cost of said work shall not exceed \$17,500.

CITY MANAGER SUPPORTING INFORMATION: The Morena Boulevard Interceptor, CIP-23-123, is currently being designed to augment the capacity of the existing 60-inch diameter East Mission Bay Interceptor, and provide for the ultimate sewerage conveyance

needs of the North City area. However, completion of construction is not anticipated until mid-1993. Therefore, in the interim, to protect public health and safety against sewage overflows into Mission Bay, on August 8, 1988, the City Council authorized the first phase of this project (R-271665), the Peak Period Storage Facility, for the purpose of collecting wastewater flow volumes in excess of the capacity of the existing East Mission Bay Interceptor, thereby avoiding overflows into the Bay. The second phase, covered by this bid

advertisement, proposes the installation of a temporary pump station at the southerly end of the storage pipes to pump any overflows to an existing under-capacity 30-inch sewer in Morena Boulevard. The pumps will be mounted on mobile trailers and housed, for sound barrier and aesthetic purposes, within a masonry block enclosure. Upon completion of the Morena Boulevard Interceptor, the pumps will be removed and the enclosure will be demolished.

Aud. Cert. 9000165.

WU-P-90-016.

FILE LOCATION: W.O. 170341 CONT - Christeve Corporation CONTFY90-1

COUNCIL ACTION: (Tape location: A322-367.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-S411:

Two actions relative to the final subdivision map of Otay International Center Lot No. 4, a 13-lot subdivision located northeasterly of Siempre Viva Road and SR 125: (Otay Mesa Community Area. District-8.)

Subitem-A: (R-89-1599) ADOPTED AS RESOLUTION R-274223

Authorizing the execution of a Subdivision Improvement Agreement with Otay International Center for the installation and completion of public improvements.

Subitem-B: (R-89-1598) ADOPTED AS RESOLUTION R-274224

Approving the final map.

FILE LOCATION: SUBD - Otay International Center Lot No. 4  
CONTFY90-1

COUNCIL ACTION: (Tape location: A322-367.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-S412:

Five actions relative to approving the final subdivision map of Otay International Center Lot No. 7, a 14-lot subdivision located southwesterly of Airway Road and Enrico Fermi Drive:

(Otay Mesa Community Area. District-8.)

Subitem-A: (R-90-239) ADOPTED AS RESOLUTION R-274225

Authorizing the execution of a Subdivision Improvement Agreement with Otay International Center for the installation and completion of public improvements.

Subitem-B: (R-90-238) ADOPTED AS RESOLUTION R-274226

Approving the final map.

Subitem-C: (R-90-240) ADOPTED AS RESOLUTION R-274227

Approving the acceptance by the City Manager of a street easement deed of Otay International Center, granting to the City an easement for public street purposes in portions of Lots 4 and 7 of County of San Diego Tract 4388, Map-11163; dedicating said land as and for public streets and naming the same Paseo de las Americas, Heinrich Hertz Drive and Airway Road.

Subitem-D: (R-90-241) ADOPTED AS RESOLUTION R-274228

Authorizing the execution of an agreement with Otay International Center for a traffic system at the intersection of Airway Road and Enrico Fermi Drive.

Subitem-E: (R-90-242) ADOPTED AS RESOLUTION R-274229

Authorizing the execution of an agreement with Otay International Center for a traffic signal system at the intersection of Siempre Viva Road and Enrico Fermi Drive.

FILE LOCATION: Subitem-A,B,D,E: SUBD - Otay International  
Center Lot No. 7; Subitem-C: DEED F-5015  
CONTFY90-3 DEEDFY90-1

COUNCIL ACTION: (Tape location: A322-367.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Struiksma. Passed  
by the following vote: Wolfsheimer-yea, Roberts-yea,  
McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-S413: (R-90-249) ADOPTED AS RESOLUTION R-274230

Accepting the generous gift from Cox Cable to produce  
Monday afternoon Council meetings gavel-to-gavel, for  
transmission to Cox and to Southwestern Cable viewers on  
late program the same Monday evening; expressing the  
gratitude of the Citizens of San Diego for this act of  
civic generosity.

CITY MANAGER SUPPORTING INFORMATION: Cox Cable has made a  
generous offer to the City of San Diego to produce, at no cost  
to the City, videotaping of the Monday afternoon City Council  
meetings from the Council Chambers on a gavel-to-gavel basis.  
Cox will transmit the program to its own and to Southwestern's  
system so that it may be cablecast to subscribers Monday  
evenings on their government access channels.

A May, 1989 audience survey showed that 18.2 percent of 220,000  
cable subscribing households in the City had watched one or more  
cablecast meetings in the previous months. However, due to  
financial constraints, the City could no longer fund the costs  
for this cable-cast production. The gift from Cox will ensure  
that viewers will continue to have access to City Council  
meetings in their homes.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A322-367.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Struiksma. Passed  
by the following vote: Wolfsheimer-yea, Roberts-yea,  
McColl-yea, Pratt-not present, Struiksma-yea, Henderson-nay,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-S414: (R-90-253) ADOPTED AS RESOLUTION R-274231

Approving the recommendation set forth in Intergovernmental



Relations Department Report IRD-89-31 directing the City Manager to meet with the Planning and Conservation League for purposes of developing final initiative language for a proposed Alcohol Tax Initiative.

(See Intergovernmental Relations Department Report IRD-89-31.)

COMMITTEE ACTION: Reviewed by RULES on 8/2/89.

Recommendation to approve the Intergovernmental Relations Department's recommendation to direct the City Manager to meet with the PCL for purposes of developing the final initiative language for the proposed Alcohol Tax Initiative, and to request that the City Attorney provide specific advice regarding the lawful role City employees may play in qualifying the initiative for the ballot. Districts 3, 6, 7 and Mayor voted yea. Districts 2 and 4 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A322-367.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-S415: (R-90-265) ADOPTED AS RESOLUTION R-274232

Approving the recommendation set forth in Intergovernmental Relations Department Report IRD-89-32, to oppose AB 1767 (Roos) relating to public water systems; directing the Intergovernmental Relations Department to express the

City's opposition to AB 1767 (Roos) to the appropriate State Legislators and to the Governor.

(See Intergovernmental Relations Department Report IRD-89-32.

COMMITTEE ACTION: Reviewed by RULES on 8/2/89.

Recommendation to approve the Intergovernmental Relations Department's recommendation to oppose AB 1767 (Roos). Districts 3, 6, 7 and Mayor voted yea. Districts 2 and 4 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A322-367.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-S416: (R-90-228) ADOPTED AS RESOLUTION R-274233

A Resolution approved by the City Council in Closed Session on Tuesday, July 25, 1989 by the following vote:

Wolfsheimer-yea; Roberts-yea; McColl-yea; Pratt-yea; Struiksma-not present; Henderson-yea; McCarty-yea; Filner-not present; Mayor-yea.

Authorizing the City Manager to pay the total sum of \$60,000 in the settlement of each and every claim against the City, its agents and employees, resulting from the personal injuries to Berender Griffith Parker (Superior Court Case No. 598934, Berender Griffith Parker v. City of San Diego, et al.); authorizing the City Auditor and Comptroller to issue one check in the amount of \$35,000 made payable to Berender Griffith Parker and William Fogel, her attorney, and one check in the amount of \$25,000 made payable to Transamerica Annuity Service Corporation, in full settlement of the lawsuit and all claims.

CITY MANAGER SUPPORTING INFORMATION: This constitutes the complete and final settlement of the personal injury claim of Berender Griffith Parker against the City of San Diego, its agents and employees, resulting from a traffic collision which occurred on June 16, 1987.

Aud. Cert. 9000131.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A322-367.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S417: (R-90-273) TRAILED TO TUESDAY, AUGUST 8, 1989

Ratifying authorization for the City Attorney to retain outside expert consultants for the purpose of assisting the City of San Diego Merger Task Force and supporting the

City's intervention at the California Public Utility Commission and the Federal Energy Regulatory Commission in the matter of the proposed SCE/SDG&E Merger.

FILE LOCATION:    - -

COUNCIL ACTION:    (Tape location: A295-302.)

MOTION BY ROBERTS TO TRAIL THE ITEM TO TUESDAY, AUGUST 8, 1989.

Second by McColl. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S418: TRAILED TO TUESDAY, AUGUST 8, 1989

Two actions relative to the West Miramar Aggregate Extraction Project:

(See City Manager Report CMR-89-388; Memorandum from Ann B. Hix dated 7/27/89. District-5.)

Subitem-A:    (R-90-268)

Authorizing the City Manager to enter into an agreement with West Coast General Corporation, for mining,

processing and removing of aggregate in Phase I of the West Miramar Landfill; authorizing the acceptance of the Bill of Sale pursuant to the USA Grant of Easement No. N6247482RP00Q77, to permit the mining, processing and removal of aggregate resources; authorizing the City Manager to negotiate an agreement with West Coast General Corporation for mining, processing, and removing of aggregate material in the Phase II area of West Miramar Landfill, subject to further environmental review and Council authorization; authorizing the expenditure of \$185,000 from CIP-37-056.0, West Miramar Landfill Phase II, for the purpose of providing funds for the above Bill of Sale agreement; authorizing the City Auditor and Comptroller upon advice from the administering department, to transfer excess budgeted funds, if any to the appropriate reserves.

Subitem-B:    (R-90-269)

Certifying that Addendum 89-0818 to Environmental Impact Report EIR-80-09-31 has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and has been reviewed and

considered by the Council.

COMMITTEE ACTION: Reviewed by PSS on 8/2/89. Recommendation to approve the City Manager's recommendation. Districts 3, 6, and 7 voted yea. Districts 2 and 4 not present. Aud. Cert. 9000160.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: B088-311.)

Motion by Struiksma to return to the City Manager to review the impact on the nearby communities. Second by Henderson. No vote taken.

MOTION BY WOLFSHEIMER TO TRAIL THE ITEM TO TUESDAY, AUGUST 8, 1989. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S419: PRESENTATION MADE

Presentation to the Mayor and City Council from a group of visiting Japanese students, sponsored by the Foundation for International Understanding.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A037-039;A210-265.)

COUNCIL MEMBER HENDERSON WELCOMED THE GROUP.

\* ITEM-S420: (R-90-255) ADOPTED AS RESOLUTION R-274234

Proclaiming, Sunday, August 20, 1989 to be "Humanitarian Spirit of Cooperation Day," in the City of San Diego. This is to recognize a martial arts show on that day at the Jewish Community Center on the 54th Street to benefit the City's homeless. (District-3.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A322-367.)

CONSENT MOTION BY MCCOLL TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea,

McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S421: (R-90-270) ADOPTED AS RESOLUTION R-274235

Authorizing the Metropolitan Sewer Task Force to review and evaluate all relevant scientific evidence bearing on the proper level of treatment of sewage as such affects ocean discharges and report its findings and recommendations to the Council as expeditiously as is feasible.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B314-605.)

MOTION BY ROBERTS TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-S422:

Two actions relative to inviting bids for Tuxedo Park Improvements:  
(Navajo Community Area. District-7.)

Subitem-A: (R-90-275) ADOPTED AS RESOLUTION R-274236

Inviting bids for Tuxedo Park Improvements; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of \$646,077 for Tuxedo Park Improvements; directing the City Manager to file the plans and specifications for the improvements in the Office of the City Clerk, which will be deemed approved upon their filing.

Subitem-B: (R-90-276) ADOPTED AS RESOLUTION R-274237

Certifying that the information contained in Environmental Impact Report EIR-87-0753 has been completed in compliance with the California Environmental Quality Act of 1970, and State guidelines, and that said Report has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION: The undeveloped Tuxedo Neighborhood Park site is located on the northeast side of Tuxedo Road south of Aqueduct Court, in the Navajo Community

Planning Area. The project will provide about four acres of neighborhood park improvements. The improvements will include approximately one acre of open play lawn, a multi-purpose court, a small children's play area, a picnic grove, concrete walkways, safety lighting, picnic tables and miscellaneous landscaping. Geological constraints associated with this site, due to its location over a known land slide, required special mitigation measures in the design of the park. The mitigation consists of a sub-drain system and a moisture barrier membrane to protect against irrigation water penetrating into the subsoil. The transfer of additional funds to this

project is necessary to fund the additional cost of the mitigation measures.

FILE LOCATION: MEET CONTFY90-1

COUNCIL ACTION: (Tape location: A322-367.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-S423:

Three actions relative to the final subdivision map of Scripps Midlands, a 17-lot subdivision located northeasterly of I-15 and Erma Road:

(Miramar Ranch North Community Area. District-5.)

Subitem-A: (R-90-259) ADOPTED AS RESOLUTION R-274238

Authorizing the execution of a Subdivision Improvement Agreement with Brehm Communities for the installation and completion of public improvements.

Subitem-B: (R-90-258) ADOPTED AS RESOLUTION R-274239

Approving the final map.

Subitem-C: (R-90-260) ADOPTED AS RESOLUTION R-274240

Authorizing the execution of a Sewer Agreement with Brehm Communities, for Tentative Map TM-83-0364, for the construction of a new off-site sewer main and related facilities.

CITY MANAGER SUPPORTING INFORMATION: In addition to the standard Subdivision Improvement Agreement, the subdivider is entering into an agreement to provide reasonable assurance that adequate sewer capacity will be available to his property. In order to do this, the subdivider is agreeing that no building permits will be issued for the property until all permits required for the construction of that portion of sewer from the intersection of Scripps Ranch Boulevard and Mira Mesa Boulevard

westerly along Mira Mesa Boulevard to the intersection of Mira Mesa Boulevard and Black Mountain Road have been issued and a contract awarded. Irrevocable Standby Letters of Credit in the amounts of \$127,725 and \$302,250 have been posted to assure the design and construction of two reaches of sewer parallel to existing mains downstream and westerly of the intersection of Mira Mesa Boulevard and Black Mountain Road. These reaches assure adequate capacity in the event that the Black Mountain Road sewer from Mira Mesa Boulevard North to the Penasquitos Trunk Line is not available when deemed necessary by the City. WU-E-90-019.

FILE LOCATION: SUBD - Scripps Midlands CONFY90-2

COUNCIL ACTION: (Tape location: A322-367.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

ITEM-CC-1:

Deputy Mayor McCarty announced that she would be requesting to have the International Cultural Festival of Arts docketed for September 11, 1989.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: H075.)

PUBLIC COMMENT:

None.

ADJOURNMENT:

By common consent, the meeting was adjourned by Deputy Mayor McCarty at 7:09 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: H079).